

PROB 12C
(7/93)

Report Date: February 28, 2011

United States District Court

for the

Eastern District of Washington

Petition for Warrant or Summons for Offender Under Supervision

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

MAR - 7 2011

JAMES R. LARSEN, CLERK
YAKIMA, WASHINGTON DEPUTY

Name of Offender: James Isom Collins

Case Number: 2:05CR02097-001

Address of Offender:

Name of Sentencing Judicial Officer: The Honorable Lonny R. Suko, U.S. District Judge

Date of Original Sentence: 4/20/2006

Original Offense: Possession of Ammunition by Prohibited Person, 18 U.S.C. § 922(g)(1)

Original Sentence: Prison - 51 Months; TSR - 36 Months Type of Supervision: Supervised Release

Asst. U.S. Attorney: Jane Kirk

Date Supervision Commenced: 5/13/2009

Defense Attorney: Alex B. Hernandez, III

Date Supervision Expires: 5/12/2012

PETITIONING THE COURT

To incorporate the violations contained in this petition in future proceedings with the violations previously reported to the Court on 6/4/2010.

The probation officer believes that the offender has violated the following conditions of supervision:

Violation Number Nature of Noncompliance

2

Mandatory Condition # 2: The defendant shall not commit another Federal, state, or local crime.

Supporting Evidence: James Collins is considered in violation of his period of supervised release in the Eastern District of Washington by committing the offenses of theft, malicious mischief, and burglary with forcible entry, on or prior to October 13, 2010.

According to the Criminal Incident Record provided by rangers for the National Park Service at the Lava Beds National Monument in northern California, the defendant and his sister broke into the entrance station and stole a flag, radio, and the radio charger. The estimated total damage was \$1,809.63.

On December 2, 2010, the defendant supplied a written statement admitting to the act. He also noted the items he stole from the entrance station. This statement was witnessed by two officers.

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- 3 **Standard Condition # 1:** The defendant shall not leave the judicial district without the permission of the court or probation officer.

Supporting Evidence: James Collins is considered in violation of his period of supervised release in the Eastern District of Washington by traveling outside the district on or prior to May 13, 2009.

The defendant was released from the Grant County Jail in Ephrata, Washington, on May 11, 2010. Upon being released, the defendant absconded from supervision. He was contacted at the Klamath County Jail in Klamath Falls, Oregon, on December 2, 2010, by investigating rangers from the Lava Beds National Monument. The defendant had been in the Klamath County Jail since October 22, 2010, on an Oregon State Department on Corrections warrant. The defendant had not received prior permission to leave the Eastern District of Washington and enter the states of Oregon or California.

- 4 **Standard Condition # 7:** The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician.

Supporting Evidence: James Collins is considered in violation of his period of supervised release in the Eastern District of Washington by consuming alcohol to excess on or prior to October 13, 2010.

In a hand-written statement by the defendant he noted, "My sister Heather Brooks and I James Isom Collins on 10-13-10 went to CA Lava Beds to check out the caves when we were there drinking vodka & blackberry brandy the hole day....". The defendant also noted to the investigating ranger that he knew he would get caught but he was so drunk that night he did not care, and noted a second time he had been drinking all day.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 02/28/2011

s/David L. McCary

David L. McCary
U.S. Probation Officer

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THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Other



Signature of Judicial Officer

3/7/11

Date